

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

April 21, 2008

No. 07-50707
Summary Calendar

Charles R. Fulbruge III
Clerk

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

JOSE CARDONA-RAMIREZ, also known as Martin Lopez-Munoz

Defendant-Appellant.

Appeal from the United States District Court
for the Western District of Texas
USDC No. 3:07-CR-00046

Before STEWART, OWEN, and SOUTHWICK, Circuit Judges.

PER CURIAM:*

The sole question raised in this appeal is whether Defendant-Appellant Jose Cardona-Ramirez's illegal reentry sentence was improperly enhanced by eight levels on the ground that his prior California possession conviction amounted to an aggravated felony. According to the Bureau of Prisons website, Cardona-Ramirez is scheduled to complete his term of imprisonment April 14, 2008. Because his release is imminent, this Court cannot usefully grant the only relief to which Appellant would have been entitled: re-sentencing.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

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Because no effective judicial remedy exists, we must DISMISS this appeal as MOOT.